

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

AKEEM CRUZ,)	
)	
Petitioner,)	
)	
v.)	2:18-cr-00143-JDL-1
)	2:22-cv-00318-JDL
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

**ORDER ACCEPTING THE RECOMMENDED DECISION OF THE
MAGISTRATE JUDGE**

Akeem Cruz, proceeding pro se, moves under 28 U.S.C.A. § 2255 (West 2023) to vacate, set aside, or correct his sentence (ECF No. 598). United States Magistrate Judge John C. Nivison filed his Recommended Decision on Cruz's motion on June 15, 2023 (ECF No. 609), pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2023) and Rule 8(b) of the Rules Governing Section 2255 Proceedings. The Petitioner filed an objection to the Recommended Decision on July 11, 2023 (ECF No. 612), and the Government filed a Reply to the objection on August 1, 2023 (ECF No. 616).

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record and have made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decision. I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and I conclude that no further proceeding is necessary.

It is therefore ORDERED that the Recommended Decision of the Magistrate Judge (ECF No. 609) is hereby **ACCEPTED**, and the Petitioner's 28 U.S.C.A. § 2255 (West) motion (ECF No. 598) is **DENIED**. It is further ORDERED that no certificate of appealability should issue in the event the Petitioner files a notice of appeal because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C.A. § 2253(c)(2) (West 2023).

SO ORDERED.

Dated this 2nd day of October, 2023.

/s/ JON D. LEVY
CHIEF U.S. DISTRICT JUDGE